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MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			EXAMINER SAXENA, AKASH	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/697,557	<b>Applicant(s)</b> RAPPAPORT ET AL.	
	<b>Examiner</b> Akash Saxena	<b>Art Unit</b> 2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/31/03 11/12/03</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-55 have been presented for examination based on the application filed on 31<sup>st</sup> October 2003.
2. Claims 1-10, 12, 18-24, 25-29 and 30-31 are rejected under 35 USC §101.
3. Claims 1-55 are rejected under 35 USC §112.
4. Claims 1-55 are rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 7,096,173.
5. Claim 3 is rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,513,323.
6. Claims 1-55 are rejected under 35 USC §103(a) by "Fortune" in view of "Hansen".
7. The information disclosure statement filed 31<sup>st</sup> October 2003 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.
8. Further examiner requests to provide relevance of each non-patent literature documentation submitted, due to voluminous submission on the IDS.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claim 1-10, 12, 18-24, 25-29 and 30-31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding Claim 1-10 and 12

Claim 1 discloses a network analysis "System", however there is no tangible system components disclosed in the claim.

Further the claim explicitly discloses a software application only. Therefore, the claim discloses non-statutory subject matter, i.e. software per se.

Claims 2, 4-10 and 12 do not cure the deficiency of claim 1 and are rejected for the same reasons as claim 1.

Regarding Claim 13

Claim 13 discloses, "A machine readable electronic file comprising"... " a site specific computerized model ..." and "computerized representations of one or more components...". This claim discloses functional descriptive material, which appears not to be stored on computer-readable medium, although it is claimed as machine-readable. See MPEP 2106.01 [R-5] Computer-Related Nonstatutory Subject Matter, ¶1-2.

Further it is unclear which statutory category the claim is directed towards – i.e. a process claim or a product (article of manufacture). The claim seems to neither explicitly recite a product (a machine readable electronic file) nor a process (use of a

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model stored in the file) claim, but rather embraces or overlaps two different statutory classes of the invention set forth in 35 U.S.C. 101.

Regarding Claims 18-24

Claim 18 discloses "a machine readable parts list library", that is functional descriptive material (a data structure), which appears not to be stored on computer-readable medium, although it is claimed as machine-readable. See MPEP 2106.01 [R-5] Computer-Related Nonstatutory Subject Matter, ¶1-2.

The application (computer program) associated with the parts list library is also functional descriptive material, which appears not to be stored on computer-readable medium, although it is claimed as machine-readable. Claim 18 is further rejected as software per se.

Claims 19-24 do not cure the deficiency of claim 18 and are rejected for the same reasons as claim 18.

Regarding Claims 25-29

Claim 25 discloses "a machine readable electronic file" which appears not to be stored on computer-readable medium (software per se), although it is claimed as machine-readable. See MPEP 2106.01 [R-5] Computer-Related Nonstatutory Subject Matter, ¶1-2.

Claims 26-29 do not cure the deficiency of claim 25 and are rejected for the same reasons as claim 25.

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Regarding Claims 30-31

Although the claim 30 discloses “a communications network analysis system”, there is no tangible embodiment for the system (a computer having a processor and storage storing the application which when executed performs the disclosed steps).

Therefore the claim seems to be directed towards non-statutory subject matter, software per se, and is rejected under 35 U.S.C. 101.

Claims 31 does not cure the deficiency of claim 30 and is rejected based on its dependency on claim 30.

Regarding Claim 3

Claim 3 discloses a “network analysis system”, however all that is disclosed is the data stored – which is non-functional descriptive material, therefore claim is rejected as being non-statutory.

Further claim 3 is non-statutory as at most it can be understood as software, which is not stored tangibly and although the claim is a system claim, there are no system components disclosed.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 1-55 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 1-55

Claims 1, 13, 18, 25, 30, 32 and 49 all disclose the following limitation in one form or another.

“one or more software applications which provide or use a site specific computerized model of one or more physical environments ...”

The underlined limitation is indefinite as it is not clear what these applications are. It seems that two very separate applications may be referred to depending on which alternative is chosen. For example, in broadest sense application providing a model may be a CAD application and application using the model may be a simulation application, which do not necessarily mean the same application.

Further the claims are replete with suggestive language using the term “may be” making the scope of the claim indefinite.

All respective dependent claims do not cure these deficiencies and are rejected for the reasons given above.

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Regarding Claim 13

Claim 13 discloses a single claim which claims both an apparatus and the method steps of using the apparatus is indefinite under 35 U.S.C. 112, second paragraph.

See MPEP 2173.05 (q).

Further claim 13 does not recite definite limitation with use of phrases like

"a parts library forming part of said one or more software applications or which is usable by said one or more software application..."

"wherein said plurality of components are each represented by a standard markup language in said parts list library which is transferable..."

"a site specific computerized model of one or more physical environments in which a communication network is or may be deployed;"

Use of these indefinite limitations leads to ambiguity [may or may not be used, may or may not be transferred, may not be deployed] in determining metes and bounds of the claimed limitation.

Further the claim limitations state the following:

"said electronic file comprising:

a site-specific computerized model of one or more physical environments in which a communications network is or may be deployed; and computerized representations of one or more components obtained from said parts list library."

It is unclear if the communication network is a limitation that must be present in the site specific computerized model of a physical environment and what effect does the presence of communication network has on the site specific computerized model stored on the file. Further the other limitations, "not specifically cited above", do not seem to be directly related to the said electronic file. Therefore the connection between the components and the electronic file is not clear.

Other claims may also have similar problems with unclear language and examiner has merely stated above issues as exemplary deficiencies with the claim language.



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Claims 14-17 do not cure the deficiency of claim 13 and are rejected for the same reasons as claim 13.

Regarding Claim 18

Claim 18 discloses a single claim which claims both an apparatus and the method steps of using the apparatus is indefinite under 35 U.S.C. 112, second paragraph. MPEP 2173.05 (p) Section II. Claim 18 discloses "a machine readable parts list library", use of which is described in the site specific computerized model which is further used to determined various other parameters. It is unclear if the limitations are directed towards the parts list library that is being used by an application or an application performing various method steps.

Further the claim discloses in ambiguous language in alternate:

"A machine-readable parts list library, comprising information pertaining to a plurality of components which are or may be used in an in-building or campus communications network..."

Use of these indefinite limitations leads to ambiguity [may or may not be used] in determining metes and bounds of the claimed limitation.

Claims 19-24 do not cure the deficiency of claim 18 and are rejected for the same reasons as claim 18.

Regarding Claim 25

Claim 25 discloses a single claim which claims both an apparatus (a machine readable electronic file) and the method steps of using the apparatus (a machine readable electronic file) is indefinite under 35 U.S.C. 112, second paragraph. See MPEP 2173.05 (p) Section II.

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There is no correlation (when and where) provided between the machine-readable electronic file and the software application, which is using the machine-readable electronic file. Further the claim discloses a model and parts list library. It is unclear if any of them are part of the machine-readable electronic file.

Further, Attempts to claim a process without setting forth any steps involved in the process generally raises an issue of indefiniteness under 35 U.S.C. 112, second paragraph. Here the method steps disclose using the machine-readable electronic file, however none of the steps disclose any active, positive steps delimiting how this use is actually practiced. See MPEP 2173.05 (q)

Claims 26-29 do not cure the deficiency of claim 25 and are rejected for the same reasons as claim 25.

#### Regarding Claim 49

Claim 49 does not recite definite limitation with use of phrases like

"a parts library forming part of said one or more software applications or which is usable by said one or more software application..."

"wherein said plurality of components are each represented by a standard markup language in said parts list library which is transferable..."

"a site specific computerized model of one or more physical environments in which a communication network is or may be deployed;"

Use of these indefinite limitations leads to ambiguity [may or may not be used, may or may not be transferred, may not be deployed] in determining metes and bounds of the claimed limitation.

Claims 50-55 do not cure the deficiency of claim 49 and are rejected for the same reasons as claim 49.

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11. Claim 3 recites the limitation "said information". There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**12. Claims 1-55 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.**

**Patent No. 7,096,173 (RA'173 hereafter).**

Regarding Claim 1-55

The applied reference has a common assignee, and two common inventors with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Specifically regarding Claim 1

RA'173 teaches a communications network analysis system (RA'173: Fig.5), comprising: one or more software applications which provide or use a site-specific computerized model of one or more physical environments (RA'173: Col.21 Line 20-Col.22 Line 15), said one or more software applications performing one or more of

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steps (a) of modeling electrical performance of components (RA'173: Abstract; Col.3 Lines 56-62) (b) determining a cost (RA'173: Col.17 generating bill of materials) (c) storing or editing maintenance records (RA'173: Col.4 Lines 35-59) (d) providing analysis or simulation (RA'173: Fig.5 step 15) (e) visualizing site specific computerized model (RA'173: Fig.4-5); (f) verify proper interconnection or identifying error (RA'173: Col.21 Lines 20-46); a parts list library (RA'173: Col.29 Lines 25-57) in XML and transferable (as saved on computer).

Regarding Claim 13, 18, 25, 30, 32 and 49

Various statutory categories of independent claims present very similar limitations as claim 1 and are rejected by RA'173 in the same manner as in claim 1.

Regarding Claim 2-12

Claims 2-12 are rejected for their dependence on rejected claim 1 and are further rejectable by RA'173.

Regarding Claim 14-17

Claims 14-17 are rejected for their dependence on rejected claim 13 and are further rejectable by RA'173.

Regarding Claim 19-24

Claims 19-24 are rejected for their dependence on rejected claim 18 and are further rejectable by RA'173.

Regarding Claim 26-29

Claims 26-29 are rejected for their dependence on rejected claim 25 and are further rejectable by RA'173.

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Regarding Claim 31

Claims 31 is rejected for its dependence on rejected claim 30 and is further rejectable by RA'173.

Regarding Claims 33-48

Claims 33-48 are rejected for their dependence on rejected claim 32 and are further rejectable by RA'173.

Regarding Claim 50-55

Claims 50-55 are rejected for their dependence on rejected claim 49 and are further rejectable by RA'173.

**13. Claim 3 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,513,323 issued to Williams et al.**

Regarding Claim 3

Williams teaches network analysis system having cost data (Williams: Col.7 Line 21 –Col.8 Line 2).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**14. Claims 1-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over by IEE Article "WISE Design of Indoor Wireless Systems" by S.F. Fortune et al (Fortune hereafter), in view of article "Rendering Tcl/TK windows as HTML" by Wilfred J. Hansen (Hansen hereafter).**

Regarding Claim 1

**Fortune** teaches a software application (Fortune: Pg. 58 ¶2 "WISE") which provide or use a site-specific computerized model of one or more physical environments (Fortune: Pg.61 section "Acquiring database for buildings"), said software application performing one or more of a) modeling electrical performance of a communications network or one or more components which are or may be used in a communications network (Fortune: Pg. 67 Fig.7) and a parts list library forming part of software application comprising information pertaining to a plurality of components which are or may be used in said communications network and at least some of said information including frequency characteristics of particular components of said plurality of components and at least some of said plurality of components being wireless communication components (Fortune: Pg. 65 Section : "User Interface" showing plurality of base stations being placed into the site specific model; Fig.7 and associated text on Pg. 65 shows the modeling various parameters including frequency parameters for the network component – i.e. base station transmitter). Fortune teaches that implementation language for the design comprises Tcl/Tk.

**Fortune** does not explicitly teach plurality of components are each represented by a standard mark up language in said parts list library.

**Hansen** teaches converting Tcl/Tk into HTML (hypertext markup language).



It would have been obvious to one (e.g. a designer) of ordinary skill in the art at the time the invention was made to apply the teachings of Hansen to Fortune to have the application web enabled and portable. The motivation to combine would have been that browser enabled application can be remotely executed besides the numerous advantages present with markup language (Hansen: Pg.1-2 Introduction).

Regarding Claim 2

Fortune does not teach using XML, mostly used to share data. Fortune in turn uses Tcl/Tk for the purpose of data sharing and graphical user interface (GUI) generation. Hansen teaches making Tcl/Tk GUI available in HTML, which like XML achieves the similar equivalent functionality and more without rewriting the code in browser usable language using XML.

Regarding Claim 3

Fortune teaches said information includes orientation data (Fortune: Pg. 61 Col.2 ¶3- Wall co-ordinate data), measured data (Fortune: Fig.1 measured signal strength), cost data (Fortune: Col.59 Col.1 Cost considerations).

Regarding Claim 4-6

Fortune teaches the interaction of two or more components from the parts list as strongest base transmitter determination, interaction between the receiver and transmitter (Fortune: Pg. 66 Col.1; Pg.60 Col.1 base station optimization – transmitter and receiver characteristics; electromechanical properties – Pg. 67 Fig 7 – antenna types).

Regarding Claim 7

Fortune teaches editing capability of the component parameters (Fortune: Fig.7).

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Regarding Claim 8-9

Fortune teaches base station optimization being a component of the application (Fortune: Pg.67 Col.1 Last paragraph) and a separate application (Fortune Pg.60, Pg.64 Col.2 Last few lines).

Regarding Claim 10

Fortune does not teach library being accessible from remote location. Hansen teaches that remote accessibility of Tcl/Tk is one of the important reasons for the markup language and Tcl/Tk interface (Hansen: Pg. Introduction).

Regarding Claim 11

Fortune discloses a computer application being executed, where the model and programmable components are stored (Fortune: Pg. 61 Col.2 saving the model to raster file; Pg.65 saving the simulation results – “save power and rays”; Fig,7 saving the part information selection).

Regarding Claim 12

Fortune teaches parts library list having antenna radiation pattern (Fortune: Fig.7 – various types of antennas – hw-dipole, qw-dipole etc.).

Regarding Claim 13

Claim 13 discloses similar limitations as claim 1 and is rejected for the same reasons as claim 1. Fortune teaches a electronic file (Fortune: at least in Pg. 61 Section: “Acquiring databases for buildings”) having site specific computerized model of a physical environment and having computerized representation of one or more components obtained from the parts list (Fortune: Fig.5-7 and associated text).

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Regarding Claim 14

Claim 14 discloses similar limitations as claim 2 and is rejected for the same reasons as claim 2.

Regarding Claim 15

Claim 15 disclose similar limitations as claim 12 and are rejected for the same reasons as claim 12.

Regarding Claim 16

Fortune teaches said information includes orientation data (Fortune: Pg. 61 Col.2 ¶13- Wall co-ordinate data), measured data (Fortune: Fig.1 measured signal strength).

Regarding Claim 17

Claim 17 discloses similar limitations as claim 6 and is rejected for the same reasons as claim 6.

Regarding Claim 18

Claim 18 discloses similar limitations as claim 1 and is rejected for the same reasons as claim 1.

Regarding Claim 19

Claim 19 discloses similar limitations as claim 10 and is rejected for the same reasons as claim 10.

Regarding Claim 20

Claim 20 discloses similar limitations as claim 2 and is rejected for the same reasons as claim 2.

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Regarding Claim 21

Claim 21 discloses similar limitations as claim 16 and is rejected for the same reasons as claim 16.

Regarding Claim 22

Claim 22 discloses similar limitations as claim 6 and is rejected for the same reasons as claim 6.

Regarding Claim 23

Claim 23 discloses similar limitations as claim 12 and is rejected for the same reasons as claim 12.

Regarding Claim 24

Fortune shows the model information being saved in the electronic file and the files being transferable between computers is well known in the art.

Regarding Claim 25

Claim 25 discloses similar limitations as claim 1 and is rejected for the same reasons as claim 1.

Regarding Claim 26

Claim 26 discloses similar limitations as claim 2 and is rejected for the same reasons as claim 2.

Regarding Claim 27

Claim 27 discloses similar limitations as claim 12 and is rejected for the same reasons as claim 12.

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Regarding Claim 28

Claim 28 discloses similar limitations as claim 16 and is rejected for the same reasons as claim 16.

Regarding Claim 29

Claim 29 discloses similar limitations as claim 6 and is rejected for the same reasons as claim 6.

Regarding Claim 30-31

Claims 30–31 disclose similar limitations as claim 1 and are rejected for the same reasons as claim 1.

Regarding Claim 32

Fortune teaches a method for performing communications network analysis (Fortune: Pg.58¶2) using a site-specific computerized model of one or more physical environments (Fortune: Pg.61 section "Acquiring database for buildings") said software application performing one or more of a) modeling electrical performance of a communications network or one or more components which are or may be used in a communications network (Fortune: Pg. 67 Fig.7) and a parts list library forming part of software application comprising information pertaining to a plurality of components which are or may be used in said communications network and at least some of said information including frequency characteristics of particular components of said plurality of components and at least some of said plurality of components being wireless communication components (Fortune: Pg. 65 Section : "User Interface" showing plurality of base stations being placed into the site specific model; Fig.7 and associated text on Pg. 65 shows the modeling various parameters

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including frequency parameters for the network component – i.e. base station transmitter).

Fortune teaches that implementation language for the design comprises Tcl/Tk.

**Fortune** does not explicitly teach plurality of components are each represented by a standard mark up language in said parts list library.

**Hansen** teaches converting Tcl/Tk into HTML (hypertext markup language).

It would have been obvious to one (e.g. a designer) of ordinary skill in the art at the time the invention was made to apply the teachings of Hansen to Fortune to have the application web enabled and portable. The motivation to combine would have been that browser enabled application can be remotely executed besides the numerous advantages present with markup language (Hansen: Pg.1-2 Introduction).

Regarding Claim 33

Claim 33 discloses similar limitations as claim 2 and is rejected for the same reasons as claim 2.

Regarding Claim 34

Claim 34 discloses similar limitations as claim 16 and is rejected for the same reasons as claim 16.

Regarding Claim 35

Claim 35 discloses similar limitations as claim 6 and is rejected for the same reasons as claim 6.

Regarding Claim 36-37

Claims 36-37 disclose similar limitations as claims 5-6 and are rejected for the same reasons as claim 5-6.

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Regarding Claim 38

Claim 38 discloses similar limitations as claim 7 and is rejected for the same reasons as claim 7.

Regarding Claim 39

Claim 39 discloses similar limitations as claim 9 and is rejected for the same reasons as claim 9.

Regarding Claim 40

Claim 40 discloses similar limitations as claim 10 and is rejected for the same reasons as claim 10.

Regarding Claim 41

Claim 41 discloses similar limitations as claim 11 and is rejected for the same reasons as claim 11.

Regarding Claim 42

Claim 42 discloses similar limitations as claim 12 and is rejected for the same reasons as claim 12.

Regarding Claim 43

Claim 43 discloses similar limitations as claim 25 and is rejected for the same reasons as claim 25.

Regarding Claim 44

Claim 44 discloses similar limitations as claim 26 and is rejected for the same reasons as claim 26.

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Regarding Claim 46

Claim 46 discloses similar limitations as claim 24 and is rejected for the same reasons as claim 24.

Regarding Claim 47

Claim 47 discloses similar limitations as claim 11 and is rejected for the same reasons as claim 11.

Regarding Claim 48

Claim 48 discloses similar limitations as claim 11 and is rejected for the same reasons as claim 24.

Regarding Claim 49

Claim 49 discloses similar limitations as claim 32 and is rejected for the same reasons as claim 32.

Regarding Claim 50

Claim 50 discloses similar limitations as claim 10 and is rejected for the same reasons as claim 10.

Regarding Claim 51

Claim 51 discloses similar limitations as claim 2 and is rejected for the same reasons as claim 2.

Regarding Claim 52

Claim 52 discloses similar limitations as claim 16 and is rejected for the same reasons as claim 16.



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Regarding Claim 53

Claim 53 discloses similar limitations as claim 6 and is rejected for the same reasons as claim 6.

Regarding Claim 54

Claim 54 discloses similar limitations as claim 12 and is rejected for the same reasons as claim 12.

Regarding Claim 55

Claim 55 discloses similar limitations as claim 32 and is rejected for the same reasons as claim 24.

***Conclusion***

15. All claims are rejected.

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

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***Communication***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akash Saxena whose telephone number is (571) 272-8351. The examiner can normally be reached on 9:30 - 6:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini S. Shah can be reached on (571)272-2279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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